## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

## SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING TO A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

States Courthouse, 40 Foley Square, in	the City of New York,
on the 20 <sup>th</sup> day of March, two thousand	thirteen.
PRESENT:	
JOHN M. WALKER, JR.,	
RICHARD C. WESLEY,	
Circuit Judges.	
JULIA OYEWO,	
Plaintiff-Appellant,	
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V.	12-2179
RAY LAHOOD, SECRETARY, U.S.	
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Defendant-Appellee.	
	JOHN M. WALKER, JR., RICHARD C. WESLEY, CHRISTOPHER F. DRONEY, Circuit Judges.  JULIA OYEWO,  Plaintiff-Appellant,

Julia Oyewo, pro se, New York, 1 FOR PLAINTIFF-APPELLANT: 2 NY. 3 4 Christine S. Poscablo, Assistant FOR DEFENDANT-APPELLEE: 5 United States Attorney, Benjamin 6 H. Torrance, Assistant United 7 States Attorney, for Preet 8 Bharara, United States Attorney 9 for the Southern District of New York, New York, NY. 10 11 12 Appeal from a judgment of the United States District 13 Court for Southern District of New York (Fox, M.J.). 14 15 UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the judgment is AFFIRMED. 16 17 Appellant Julia Oyewo, proceeding pro se, appeals from 18 a Memorandum and Order by the United States District Court 19 for the Southern District of New York (Fox, M.J.) granting 20 Appellee Department of Transportation's ("DOT") motion for 21 summary judgment and dismissing her employment 22 discrimination complaint. We assume the parties' 23 familiarity with the underlying facts, the procedural 24 history of the case, and the issues on appeal. We review de novo a district court's grant of summary 25 26 judgment, with the view that "[s]ummary judgment is 27 appropriate only if the moving party shows that there are no 28 genuine issues of material fact and that the moving party is 29 entitled to judgment as a matter of law." Miller v. Wolpoff

& Abramson, L.L.P., 321 F.3d 292, 300 (2d Cir. 2003).

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As an initial matter, Oyewo has abandoned her 1 2 alternative work schedule claim by raising it for the first time in opposition to DOT's motion for summary judgment, see 3 Greenidge v. Allstate Ins. Co., 446 F.3d 356, 361 (2d Cir. 4 5 2006), and by presenting minimal argument in her brief on 6 appeal, Norton v. Sam's Club, 145 F.3d 114, 117 (2d Cir. Likewise, Oyewo waived her job duties claim by not 7 raising arguments concerning it in her brief on appeal. 8 Id.; LoSacco v. City of Middletown, 71 F.3d 88, 92-93 (2d 9 Cir. 1995). 10 11 Upon review of Oyewo's remaining claims, we conclude 12 that her appeal is without merit substantially for the 13 reasons articulated by the magistrate judge in his March 26, 14 2012 Memorandum and Order. For the foregoing reasons, the judgment of the district 15 16 court is hereby AFFIRMED.

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18 19 20 FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk